

IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEBRASKA

MARY GAMBLE,)	
)	
Plaintiff,)	4:07CV3043
)	
v.)	
)	
COUNTY OF DAKOTA, STATE OF)	ORDER
NEBRASKA, and BRYAN SMITH,)	
individually and in his)	
official capacity,)	
)	
Defendants.)	
_____)	

This matter is before the Court on plaintiff's motion to dismiss the causes of action without prejudice (Filing No. 9). This motion was filed before any responsive pleading was filed by either defendant. Pursuant to Fed.R.Civ.P. 41(a), plaintiff had the unqualified right to dismiss all or part of her claim without obtaining a court order. For this reason, the Court finds said motion should be granted. Accordingly,

IT IS ORDERED that plaintiff's motion is granted; plaintiff's sixth and eighth causes of action are dismissed without prejudice.

DATED this 12th day of April, 2007.

BY THE COURT:

/s/ Lyle E. Strom

LYLE E. STROM, Senior Judge
United States District Court